

**ILLINOIS LABOR RELATIONS BOARD
JOINT PANEL MEETING**

**MINUTES OF THE ILLINOIS LABOR RELATIONS BOARD
JOINT PANEL MEETING HELD ON MAY 12, 2004**

I. OPENING OF MEETING - 9:30 A.M., 320 West Washington Street, Suite 500, Springfield, Illinois

II. PRESENT

Jackie Gallagher, Joint Panel Chairman, Michael Hade, Member of the State Panel; Charles Hernandez, Member of the State Panel; Rex Piper, Member of the State Panel; Letitia Taylor, Member of the State Panel; Jacalyn J. Zimmerman, General Counsel; Fred Wickizer, Acting Executive Director and staff members. Donald Hubert, Member of the Local Panel participated by phone. Edward Sadlowski, Member of the Local Panel, was not present.

III. MINUTES APPROVAL

No minutes were available; they will be prepared and approved at the next meeting.

IV. RULES APPROVAL TO BE TAKEN AT THIS MEETING

Chair Gallagher asked if all Board members had received copies of the proposed rules. The purpose of the meeting was to approve Emergency and First Notice police perjury rules to implement Public Act 93-0655. General Counsel Zimmerman stated that Member Sadlowski, although not present, had given his pre-approval to the proposed rules.

Member Donald Hubert posed a question regarding Section 1240.40 of the proposed rules. He stated that the language was not clear. It was unanimously decided that adding a comma to distinguish between the defendant and police officer needing to have personal knowledge of perjury would resolve the issue.

Member Hubert then posed a scenario where the Executive Director authorizes a hearing to go forward and the police officers involved choose not to participate but to take the Fifth Amendment. He questioned where in the Rules does it provide for officers taking the Fifth Amendment. General Counsel Zimmerman responded that this is essentially a license revocation proceeding, not a civil nor a criminal proceeding. She responded the issue was substantive and could not be anticipated in the rules. Staff Counsel Michele Cotrupe commented that the

particular situation needed to arise, have briefing on the issues and then have a ruling. Member Hubert agreed to leave the issue open.

Member Hubert then questioned whether there is a part of our process to protect the Board from a potential legal blindside by certain issues that were not addressed in the Rules. He questioned if the Rules were published on the ILRB's website. Staff Counsel Michele Cotrupe responded that the Rules were published and the Board is allowed during the first notice period to have a public hearing upon request if the parties have substantive comments.

State Panel Michael Hade made a motion to approve the Rules as amended. State Panel Letitia Taylor seconded the motion. The motion passed unanimously.

IV. PROPOSED ADDITION TO BOARD'S MEDIATION/ARBITRATION ROSTER

The Joint Panel will hold the consideration of the proposed addition of Stanley E. Kravit and Michael S. Jordan to the Board's Mediation/Arbitration roster until the next Joint Panel meeting.

V. ADJOURNMENT

State Panel Member Michael Hade made the motion to adjourn the joint rules meeting. State Panel Member Rex Piper seconded the motion. The motion passed unanimously.